

BEST AVAILABLE COPY

Application No.: 10/785,089Docket No.: 713-1044REMARKS

Applicants appreciate the Examiner's thorough review of the present application, and respectfully request reconsideration in light of the preceding amendments and the following remarks.

Claims 1, 4-8, 11-15, 18-19 and 21-28 are pending in the application. Claims 2-3, 9-10, 16-17 and 20 have been cancelled without prejudice or disclaimer. Claim 4 has been rewritten in independent form including all limitations of base claim 1. Claims 1 and 18 have been amended to better define the claimed invention. Claims 5, 8, 19 and 21 have been revised to improve claim language. New claims 22-28 have been added to provide Applicants with the scope of protection to which they are believed entitled. No new matter has been introduced through the foregoing amendments as the amended/added claims find solid support in the original specification and drawings.

The Examiner's new rejection of claims 1-21 as being anticipated by *Arakawa* (FR 2,622,244) is noted. Applicant respectfully disagree with the Examiner's rejection of at least claim 4, because the reference does not fairly teach or disclose the limitation of claim 4 that the elastic leg comprises two branches each attached to a corner of the work face. The Examiner's reliance on elements 25 and 28 of *Arakawa* for the claimed branches is noted. However, as can be seen in FIGs. 19-22 of *Arakawa*, elements 25 and 28 are not attached to corner of a work face as presently claimed. Instead, elements 25 and 28 are received in respective holes (e.g., 15, FIG. 1) which are located in a middle of a side of the work face. Withdrawal of the anticipatory rejection of claim 4 in view of the above is believed appropriate and therefore respectfully requested.

Independent claim 1 has been amended to define over *Arakawa*. In particular, amended claim 1 additionally recites that the leg and the follower are integral parts of said case. As can be seen in FIG. 1 of *Arakawa*, leg 7 is a separate piece rotatably and removably attached to case 2.

BEST AVAILABLE COPY

Application No.: 10/785,089Docket No.: 713-1044

Therefore, leg 7 and follower 27 are not integral parts of case 2, as presently claimed.

The reference is not modifiable to include the newly claimed feature because doing so would cause, in operation, repeated twisting of elements 25 and 28 which might eventually break and render the device inoperative.

In addition, such a modification would impose a biasing force (due to elasticity of twisted elements 25, 28) on leg 7 to cause leg 7 to return to a neutral position where elements 25, 28 are not/minimally twisted. Such a biasing force would change the principle of operation of the *Arakawa* leg 7 which is configured to passively follow the path around island 22.

For the above reasons, Applicants respectfully submit that amended claim 1 is patentable over the applied reference of *Arakawa*.

Claims 5-8, 11-15, and 25-28 depend from claim 1, and are considered patentable at least for the reason advanced with respect to amended claim 1. The dependent claims are also patentable on their own merits since these claims recite other features of the invention neither disclosed, taught nor suggested by the applied art.

For example, as to claim 5, the applied reference does not fairly teach or suggest that said follower has a cross section which is taken in a plane parallel to the plane of the work face and comprises a straight side. This feature is supported by FIG. 9 of the instant application. As can be seen in all plan and cross section views of *Arakawa*, the cross section of follower 27 is circular and does not include any straight side.

As to claim 11, the applied reference does not fairly teach or suggest the claimed non-return rib arranged parallel to the direction of sliding, said non-return rib extending between the central island and the peninsula. The Examiner's reliance on the step between elements e and f in FIGs. 13-14 of *Arakawa* for the claimed non-returning rib is noted. As can be seen in attached *Exhibit B*,

BEST AVAILABLE COPY

Application No.: 10/785,089Docket No.: 713-1044

which is an annotated version of FIGs. 13-14 of *Arakawa*, step Z between elements e and f is not parallel to the sliding direction X. An alternative step Y between elements e and f is not parallel to direction X, either. Withdrawal of the rejection of claim 11 is now believed appropriate and therefore respectfully requested.

As to claim 24, the applied reference does not fairly teach or suggest that the non-return rib has a second end spaced from the central island by a gap. This feature finds support in FIG. 6 of the instant application.

As to claim 25, the applied reference does not fairly teach or suggest that said work face has, in the plane thereof, an aperture opening into the interior of said case and said elastic leg is moveable within said aperture. As can be seen in FIG. 1 of *Arakawa*, case 2 has a work face 13 which is solid and does not have any aperture in which the leg 7 is moveable.

As to claims 26-27, the applied reference does not fairly teach or suggest that said elastic leg comprises two branches located in the plane of said work face and converging towards the follower from different portions of a peripheral edge of said aperture. Elements 25 and 28 of *Arakawa* are not readable on the claimed branches.

As to claim 28, the applied reference does not fairly teach or suggest that each of said branches is deformable in the plane of said work face to move said elastic leg within said aperture. This feature is inherent from the description of the disclosed embodiments. In *Arakawa*, elements 25, 28 are not disclosed or suggested to be deformable as presently claimed.

Independent claim 18 has been amended to define over *Arakawa*. Claim 18 now requires that the elastic leg is deformable. In *Arakawa*, leg 7 is rotatable, rather than deformable, as presently claimed. The reference is not modifiable to arrive at the claimed invention, lacking a proper suggestion or motivation to do so. Thus, amended claim 18 is patentable over *Arakawa*.

BEST AVAILABLE COPY

Application No.: 10/785,089Docket No.: 713-1044

Claims 19 and 21-23 depend from claim 18, and are considered patentable at least for the reason advanced with respect to amended claim 18. Claims 19 and 21-23 are also patentable on their own merits since these claims recite other features of the invention neither disclosed, taught nor suggested by the applied art, as will be apparent to the Examiner upon reviewing these claims.

Each of the Examiner's rejections has been traversed/overcome. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

LOWE HAUPTMAN & BERNER, LLP

Benjamin J. Hauptman
Registration No. 29,310

USPTO Customer No. 22429
1700 Diagonal Road, Suite 310
Alexandria, VA 22314
(703) 684-1111 BJH/KL/klb
(703) 518-5499 Facsimile
Date: November 9, 2005

CERTIFICATION OF FACSIMILE TRANSMISSION
I HEREBY CERTIFY THAT THIS PAPER IS BEING FACSIMILE TRANSMITTED
TO THE PATENT AND TRADEMARK OFFICE ON THE DATE SHOWN BELOW

TYPE OF PRINT / NAME OF PERSON SIGNING CERTIFICATION	DATE
<i>Kindra Bryant</i>	November 9, 2005
SIGNATURE	DATE
571-273-8300	
FACSIMILE NUMBER	